

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Jonathan W. Hubbs Docket No.: 29092.00011
Application No.: 09/751,025 Group Art Unit: 1755
Filing Date: 29-Dec-2000 Examiner: David M. Brunzman
TITLE MALLEABLE SURFACE MATERIAL

INFORMATION DISCLOSURE STATEMENT PURSUANT TO
37 C.F.R. §§1.97-1.98

Commissioner for Patents
Washington, DC 20231

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO-1449. One copy of each cited document is submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Further, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed within three months of receipt of the references in a search report from the European Patent Office as PCT searching authority and therefore no fee under 37 C.F.R. §1.17(p) is required.

Respectfully submitted,

12-13-02

Date

By David E. Rogers
David E. Rogers
Reg. No. 38,287

Enclosures: PTO-1449 w/Cited references
Transmittal
Statement

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Held, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on:

Date: 12-10-02

By Lisa Held

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TRANSMITTAL PURSUANT TO 37 C.F.R. §1.97-1.98

Commissioner for Patents
Washington, DC 20231

Commissioner:

Submitted herewith pursuant to 37 C.F.R. §1.97(b) are enclosed (1) the Information Disclosure Statement, (2) Information Disclosure Citation PTO Form 1449, and (3) cited references. Certification under 37 C.F.R. §1.97(e) is enclosed and no fee under 37 C.F.R. §1.17(p) is required.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

12-03-02

Date

By

David E. Rogers
David E. Rogers
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STATEMENT PURSUANT TO 37 C.F.R. §1.97(e)

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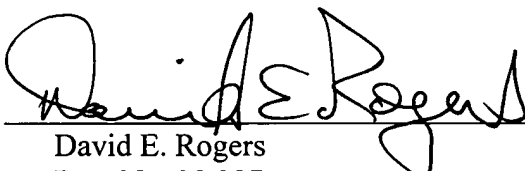
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I, David E. Rogers, state:

That each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. More particularly, the references were first cited in an International Search Report by the EPO serving as the International Examining Office for an application filed under the Patent Cooperation Treaty.

Respectfully submitted,

By 
David E. Rogers
Reg. No. 38,287

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